

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jay WOHLGEMUTH et al.

Application No.: 10/511,937

International Filing Date: April 24, 2003

For: METHODS AND COMPOSITIONS FOR  
DIAGNOSING AND MONITORING  
TRANSPLANT REJECTION

Examiner: J. Martinell

Group Art Unit: 1634

Confirmation No.: 9500

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of the documents 1-3 and 8 are also submitted herewith. The Examiner is requested to make these documents of record.

Documents 1 and 8 listed on the attached Form PTO/SB/08a/b were cited in a Notice of Reasons for Rejection (included herewith as document no. 3 on the attached Form PTO/SB/08a/b) mailed on May 26, 2009, directed to a counterpart international or foreign application and have not been previously cited.

Applicants would like to bring to the Examiner's attention the fact that:

- A copy of U.S. Patent Application Nos. 12/329,173, 12/544,182, 12/561,213 and 12/584,615 (document nos. 4-7 on the attached Form PTO/SB/08a/b) are not included herewith. This protocol conforms with the waiver of the requirement under 37 CFR § 1.98 to provide copies of pending U.S. Patent Applications.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ **Before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.**
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
- ☐ A fee is required. Accordingly, a Fee Transmittal Form (PTO/SB/17) is attached to this submission.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the Issue Fee.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal Form (PTO/SB/17) is attached to this submission.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has

been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to Deposit Account No. **03-1952** referencing **506612000104**.

Dated: October 27, 2009

Respectfully submitted,

By

  
Patricia Tsao

Registration No.: 50,713  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105-2482  
(415) 268-6642